

REMARKS

Claims 12-14, 20-21, and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Clerc et al. (EP 0538796) in view of Takatori et al. (U.S. 6,504,592). Claims 20 and 27 have been canceled without prejudice herein, and the subject matter from these claims has been incorporated into independent claims 12 and 13 respectively. In light of these amendments, Applicants respectfully traverse this rejection because a *prima facie* case of obviousness has not been established. Neither reference, whether taken alone or in combination, teaches or suggests that the polarizing axes of the polarizers are at an angle of 45 degrees to the directors of liquid crystal molecules when voltage is applied, as in claims 12 and 13 of the present invention, as amended.

Applicants note that the Examiner does not assert that Clerc in any way teaches or suggests the subject matter that originally appeared in claims 20 and 27. Instead, the Examiner relies only upon Fig. 44 of Takatori, and its accompanying text at col. 8, lines 34-36, for somehow teaching these features of the claims. Nothing from these portions of Takatori, however, shows any angle, or relationship, between the polarizing axes of the polarizers and the directors of the liquid crystal molecules. More particularly, the reference remains entirely silent regarding any such angle /relationship when a voltage is applied to the liquid crystal layer. Without any such teachings or suggestions in the reference, the rejection was deficient on its face with respect to claims 20 and 27, and is therefore now similarly deficient with respect to independent claims 12 and 13, which incorporate the subject matter from claims 20 and 27 respectively.

Moreover, Applicants further note that the rejection does not identify anywhere in Takatori an actual director of liquid crystal molecules. In fact, the reference does not illustrate or describe any such element with respect to the device. The Examiner therefore, appears to have simply *presumed* that the angle of such a director, in the plane of the substrates, can be arbitrarily assigned according to the linear direction of the slits 517, as indicated by the Examiner's emphasis in Fig. 44C of the reference. As demonstrated by Fig. 4 of the present Specification though, such assumptions are inappropriate. Fig. 4 clearly illustrates how, even for a single linear structure 34, the directors of liquid crystal molecules are not necessarily constant around even a single structure.

Additionally, Figs. 15 and 16 of the present Application further demonstrate that the directors of the liquid crystal molecules are not the same as either the polarizing axes, or the alignment structures themselves. The directors are themselves a separate feature of the present invention that the Examiner is required to be able to affirmatively identify within the prior art according to the requirements of Section 2143.03 of the MPEP. Because no such feature has actually been identified within any of the cited art of record, the rejection is deficient on its face for at least these reasons, and should be withdrawn.

Claims 15-19 and 22-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Clerc and Takatori, in view of Hamada et al. (U.S. 5,028,122). Applicants therefore traverse this rejection for at least the reasons discussed above. Claims 15-19 all depend directly or indirectly from independent claim 12, and claims 22-26 all depend directly or indirectly from independent claim 13. All of these dependent claims therefore include all

of the features of the respective base claims, plus additional features. Hamada is cited by the Examiner merely for teaching a “subsidiary capacity electrode,” and not for anything regarding the angle between the polarizing axes and the liquid crystal molecule directors.

Applicants further traverse this obviousness rejection as applied to claims 19 and 26 because the Examiner has not established the obviousness of combining the subsidiary electrode from Hamada into the particular configuration recited in the present invention. The Examiner admits that neither Clerc nor Takatori even teach the subsidiary electrode. Hamada additionally fails to show how such an electrode could be formed at a position corresponding to a linear structure, for example. Accordingly, the outstanding rejection of claims 19 and 26 is further traversed for at least these reasons as well.

For all of the foregoing reasons, Applicants submit that this Application, including claims 12-19 and 21-26, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if a further interview would expedite prosecution.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Josh C. Snider", written over a horizontal line.

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